UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region08

SEP 25 2013

Ref: 8EPR-N

Mr. David C. Whittekiend, Forest Supervisor
Uinta-Wasatch-Cache National Forest
c/o Rick Schuler, District Ranger
Evanston-Mountain View Ranger District
P.O. Box 1880
Evanston, WY 82931

RE: Smiths Fork Vegetation Restoration Project Draft Environmental Impact Statement, CEQ #20130254

Dear Mr. Whittekiend:

In accordance with our responsibilities under the National Environmental Policy Act (NEPA), 42 U.S.C. Section 4321, and Section 309 of the Clean Air Act, 42 U.S.C. Section 7609, the U.S. Environmental Protection Agency Region 8 (EPA) has reviewed the August 2013 Draft Environmental Impact Statement (EIS) for the Smiths Fork Vegetation Restoration Project. This Draft EIS was prepared by the Evanston-Mountain View Ranger District of the U.S. Department of Agriculture Forest Service (USFS) Uinta-Wasatch-Cache National Forest (UWC) to analyze potential environmental impacts associated with proposed treatments to address impacts from the mountain pine beetle epidemic in the Smiths Fork area of the UWC.

Background

The Smiths Fork Vegetation Restoration Project is located approximately 25 miles southwest of Mountain View, Wyoming, in portions of Uinta County, Wyoming, and Summit County, Utah. The analysis area includes 48,775 acres of USFS land, 7,778 acres of private land, and 1,279 acres of State of Wyoming land.

The project is proposed under the Healthy Forests Restoration Act. Alternatives analyzed in the Draft EIS are briefly summarized, as follows:

- Alternative 1 (No Action) – Proposed salvage clearcuts, sanitation salvage treatments, and thinning/piling/burning treatments would not occur; and

- Alternative 2 (Preferred Alternative) –Proposed treatments on 4,445 acres include approximately1,385 acres of salvage clearcut, 1,420 acres of sanitation salvage, 515 acres of

thinning/piling/burning, 1,010 acres of roadside buffer, 3 miles of new roads, 6 miles of temporary roads, 10 miles of additional temporary roads on existing road prism, and 5.5 miles of road reconstruction.

The EPA's comments are specific to the following issues: (1) aquatic resources and (2) air resources. Given the existing condition of water resources in the project area, the EPA is particularly interested in the USFS's approach to ensuring protection of these valuable resources.

Aquatic Resources

The EPA considers protection of aquatic resources to be among the most important issues addressed in any NEPA analysis for vegetation management projects in our national forests. Most treatments contemplated under the proposed action (e.g., salvage clearcut, sanitation salvage, thinning, pile burning and road construction) have the potential to adversely impact aquatic resources, including surface and ground waters, wetlands, streams, riparian areas, and their supporting hydrology.

Existing Conditions

The Draft EIS provides very little description of existing aquatic conditions in the project area, which makes it difficult to determine whether there may be impacts associated with the proposed project. Given the potential for vegetation management projects to affect aquatic resources, we recommend that the Final EIS compare existing conditions to existing water quality standards or other reference conditions, and provide associated aquatic resource and water quality status and trends, including the following:

- A thorough characterization, including available data and maps, of existing aquatic resources and discussion of baseline conditions in the proposed project area, including quality and location of resources, i.e., wetlands, streams (intermittent, perennial, and ephemeral), rivers, lakes, reservoirs, and surface water drinking water sources; watershed conditions; water quality conditions; sediment loads; streambank conditions; vegetation cover; and fish population health and habitat;
- A map and list of Clean Water Act (CWA) impaired or threatened water body segments within, or downstream of, the project area, including the designated uses of the water bodies and the specific pollutants of concern. It appears that impaired segments of the Smiths Fork are downstream of the project area, while China, Bridger and Marsh Lakes are impaired water bodies within the project area. The Wyoming Department of Environmental Quality (WDEQ) and the Utah Department of Environmental Quality (UDEQ) can identify/validate any such CWA Section 303(d) listed water bodies potentially affected by the project;
- A map of municipal watersheds and designated source water protection zones; and
- A map of soil units identified in Table 3.4.1.

It appears that some of this information is available, or could be updated, from the 2009 Smiths Fork Watershed Landscape Analysis included in the electronic file for the project. Data for the streams and lakes of the project area would provide a baseline for future monitoring of impacts and evaluation of potential influence on downstream water quality. Critical parameters to include are those of interest for

impaired water bodies within or downstream of the project area. In addition, identification of any significant gaps in the data may be helpful in developing the project monitoring plan.

Design Criteria and Monitoring Plan

We support the Best Management Practices (BMPs) and project-specific design criteria proposed to protect aquatic resources, including requirements for road construction to avoid wetlands and riparian habitat conservation areas. We recommend expanding the avoidance areas to include ground water-dependent ecosystems (e.g., fens and springs), slopes greater than 20% and areas with sensitive soils.

To ensure that project activities do not adversely impact aquatic resources, we also recommend that the project-specific design criteria include the following:

- Minimize the number of road stream crossings;
- Construct unavoidable road stream crossings during periods of low flow to avoid fish spawning and incubation periods, and/or dewater relevant stream segments prior to construction;
- Use existing landing locations and roads when reasonable;
- Minimize landing size and design for proper drainage;
- Specify steps to protect range improvements such as water developments and spring exclosures;
- Monitor impacts to water quality from treatments proposed adjacent to high value surface waters (e.g., China, Bridger and Marsh Lakes), and adjust BMPs/design criteria, if necessary;
- Monitor effectiveness of road closures and adjust closure methods, if necessary; and
- Monitor revegetation efforts for 5 years or until success is achieved.

Effects to Impaired Water Bodies

We recommend that the Final EIS describe how approval of the proposed project might affect the CWA Section 303(d) listed water bodies within, or downstream of, the project area, particularly the water quality parameters causing the CWA Section 303(d) listing. The Draft EIS briefly mentions China, Bridger and Marsh Lakes, which the UDEQ has identified as CWA Section 303(d) listed water bodies for low levels of dissolved oxygen (China Lake is also listed for temperature). The Draft EIS notes that the project would result in little or no adverse effects to the water quality of these lakes because the treatment area is relatively flat and very little of the treatment area is hydrologically connected to these lakes. We recommend expanding this important discussion given that sanitation salvage treatments are proposed adjacent to these lakes. In addition, we recommend the Final EIS assess potential impacts to two impaired segments of the Smiths Fork that are downstream of the project area in Wyoming. Both segments are impaired for recreation due to pathogens and one segment is also impaired for aquatic life other than fish, coldwater fishery and physical substrate habitat alterations for aquatic life and fishery.

Although Total Maximum Daily Load analyses for these water bodies still need to be developed by the states, we recommend that proposed activities in the drainages of CWA impaired or threatened water bodies be either carefully limited to prevent any worsening of the impairment or avoided where such impacts cannot be prevented. We recommend that mitigation or restoration activities be included to reduce existing sources of pollution, and to offset or compensate for pollutants generated.

Water Quality Impacts of Beetle Epidemic

We recommend the Final EIS expand Table 3.5.1 to include the No Action Alternative to show a comparison of taking no action on beetle-impacted trees versus removing them. Since impacts will vary by watershed, we recommend that the Final EIS disclose the positive and negative impacts of both leaving the beetle-infested/beetle-killed trees in place and removing them.

In addition, the presence and handling of beetle-killed trees has the potential to impact public water supplies if it leads to organic loading of area water bodies that are sources of drinking water. Organic matter interacts with disinfectants used in the drinking water treatment process to form disinfection byproducts, which are a human health concern. Organic loading may also decrease oxygen levels leading to the release of metals such as arsenic, manganese, and iron from sediments. If the project area contains any public drinking water supply reservoirs, then we recommend that the Final EIS identify the reservoirs and provide an assessment of the potential for organic loading impacts to such drinking water supplies.

Air Resources

The Preferred Alternative includes the burning of piles on approximately 625 acres. We recommend the Final EIS describe potential short-term air quality impacts associated with the burning of these piles. For an example disclosure of air quality impacts associated with burn piles, please refer to the Black Hills National Forest's Calumet Project Final EIS (see the Fire and Fuels Section, p. 159). This document provides an estimate of $PM_{2.5}$ emissions for an average size burn pile. We understand from discussions with other Forests that pile burning can be covered by a forest-wide programmatic Burn Plan. It would be helpful if the Final EIS included a discussion of the Burn Plan process and whether the UWC National Forest develops such plans for pile burns. In addition, we recommend the Final EIS clarify whether pile burns would be subject to the same process that is utilized for prescribed fire treatments as described in the Interagency Prescribed Fire Planning and Implementation Procedures Guide (July 2008).

Other Issues

Please ensure that the total acreage numbers presented in Table 2.6, Summary Comparison of Alternatives, match the acreage totals presented in Tables 2.1 - 2.5. There appear to be some discrepancies under the "clearcut" and "clearcut with pile and burn" categories.

The EPA's Rating

Consistent with Section 309 of the CAA, it is the EPA's responsibility to provide an independent review and evaluation of the potential environmental impacts of this project. Based on our review, the EPA is rating the Draft EIS Preferred Alternative as Environmental Concerns – Insufficient Information (EC-2). The "EC" rating indicates that the EPA review has identified potential impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the Preferred Alternative or application of mitigation measures that can reduce these impacts. The "2" rating indicates that the EPA has identified additional information, data, analyses, or discussion that we recommend for inclusion in the Final EIS. While it does not appear that this project would result in significant impacts

to the environment, it is difficult to determine without the disclosure of existing aquatic resource conditions and the assessment of impacts to those resources as recommended above. A full description of the EPA's rating system is enclosed for your convenience.

We appreciate the opportunity to review this Draft EIS. If we may provide further explanation of our comments, please contact me at 303-312-6925, or your staff may contact Amy Platt at 303-312-6449.

Sincerely,

Suzanne J. Bohan
Director, NEPA Compliance and Review Program
Office of Ecosystems Protection and Remediation

Enclosure

U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements

Definitions and Follow-Up Action*

Environmental Impact of the Action

LO - - Lack of Objections: The Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC - - Environmental Concerns: The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO - - Environmental Objections: The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU - - Environmentally Unsatisfactory: The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 - - Adequate: EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 - - Insufficient Information: The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new, reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 - - Inadequate: EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.